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10 **UNITED STATES DISTRICT COURT**
11 **CENTRAL DISTRICT OF CALIFORNIA**

12 STAR FABRICS, INC., a California
13 Corporation,
14 Plaintiff,
15

16 v.

17 REVOLVE GROUP, INC., a Delaware
18 Corporation; BAROL PTY LTD., d/b/a
"Bardot," an Australian Corporation;
19 RUELALA, INC., a Delaware Corporation;
20 THE TJX COMPANIES, INC., a Delaware
21 Corporation; and DOES 1-10,
22 Defendants.
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Case No.:

PLAINTIFF'S COMPLAINT FOR
COPYRIGHT INFRINGEMENT

Jury Trial Demanded

1 Star Fabrics, Inc., by and through its undersigned attorneys, hereby prays to
2 this honorable Court for relief based on the following:

3 **JURISDICTION AND VENUE**

4 1. This action arises under the Copyright Act of 1976, Title 17 U.S.C., § 101
5 *et seq.*

6 2. This Court has federal question jurisdiction under 28 U.S.C. §§ 1331 and
7 1338 (a).

8 3. Venue in this judicial district is proper under 28 U.S.C. §§ 1391(c) and
9 1400(a) in that this is the judicial district in which a substantial part of the acts and
10 omissions giving rise to the claims occurred.

11 **PARTIES**

12 4. Plaintiff STAR FABRICS, INC. is a corporation organized and existing
13 under the laws of the State of California with its principal place of business located in
14 Los Angeles, California.

15 5. Plaintiff is informed and believes and thereon alleges that Defendant
16 REVOLVE GROUP, INC. (“REVOLVE”) is a corporation organized and existing
17 under the laws of the state of Delaware with its principal place of business located at
18 12889 Moore Street, Cerritos, CA 90703.

19 6. Plaintiff is informed and believes and thereon alleges that Defendant
20 BAROL PTY LTD. d/b/a “Bardot” (“BARDOT”) is an Australian corporation doing
21 business in and with the state of California, including this judicial district.
22 REVOLVE owns a federally registered trademark with the U.S. Patent and
23 Trademark Office for “Bardot” in connection with the products it sells under Reg.
24 No. 79117704.

25 7. Plaintiff is informed and believes and thereon alleges that Defendant
26 RUELALA, INC. (“RUELALA”) is a corporation organized and existing under the
27 laws of the state of Delaware with its principal place of business located at 20
28 Channel Center Street, Boston, MA 02210 and is doing business in and with the state

1 of California.

2 8. Plaintiff is informed and believes and thereon alleges that Defendant
3 THE TJX COMPANIES, INC. (“TJX”) is a corporation organized and existing under
4 the laws of the state of Delaware with its principal place of business located at 770
5 Cochituate Road, Framingham, MA 01701, and is registered to do business in and
6 with the state of California.

7 9. Plaintiff is informed and believes and thereon alleges that Defendants
8 DOES 1 through 10 (together with REVOLVE, BARDOT, RUELALA, and TJX,
9 “Defendants”), are other parties not yet identified who have infringed Plaintiff’s
10 copyrights, have contributed to the infringement of Plaintiff’s copyrights, or have
11 engaged in one or more of the wrongful practices alleged herein. The true names,
12 whether corporate, individual or otherwise, of Defendants 1 through 10, inclusive, are
13 presently unknown to Plaintiff, which therefore sues said Defendants by such
14 fictitious names, and will seek leave to amend this Complaint to show their true
15 names and capacities when same have been ascertained.

16 10. Plaintiff is informed and believes and thereon alleges that at all times
17 relevant hereto each of the Defendants was the agent, affiliate, officer, director,
18 manager, principal, alter-ego, and/or employee of the remaining Defendants and was
19 at all times acting within the scope of such agency, affiliation, alter-ego relationship
20 and/or employment; and actively participated in or subsequently ratified and/or
21 adopted each of the acts or conduct alleged, with full knowledge of all the facts and
22 circumstances, including, but not limited to, full knowledge of each violation of
23 Plaintiff’s rights and the damages to Plaintiff proximately caused thereby.

24 11. Plaintiff did not know or have reason to know of any of Defendants’
25 infringing conduct prior to three years before the filing of this Complaint.

26 **CLAIMS RELATED TO DESIGN 80185**

27 12. Plaintiff owns an original two-dimensional artwork used for purposes of
28 textile printing entitled 80185 (the “Subject Design”) which has been registered with

1 the United States Copyright Office.

2 13. Since 2017, Plaintiff has widely disseminated fabric bearing the Subject
3 Design to numerous parties in the fashion and apparel industries.

4 14. Plaintiff is informed and believes and thereon alleges that following its
5 distribution of the Subject Design, REVOLVE, BARDOT, TJX, RUELALA, DOE
6 Defendants, and each of them created, sold, manufactured, caused to be
7 manufactured, imported and/or distributed fabric and/or garments comprised of fabric
8 featuring unauthorized reproductions of the Subject Design or designs which are
9 substantially similar to the Subject Design (hereinafter “Offending Products”).
10 Offending Products include but is not limited to the garments sold by REVOLVE
11 bearing the label “Bardot,” under SKU 9349585803912 / S178168337, and Style No.
12 55160TB2 indicating it was manufactured or otherwise distributed by REVOLVE.

13 15. A representative sample of the Subject Design (left), and non-exclusive
14 exemplars of Offending Products (right) are set forth hereinbelow:

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16 ///

17 ///

Subject Design



Offending Product



Detail



Detail



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FIRST CLAIM FOR RELIEF

(For Copyright Infringement - Against All Defendants, and Each)

16. Plaintiff repeats, realleges and incorporates herein by reference as though fully set forth the allegations contained in the preceding paragraphs of this Complaint.

17. Plaintiff is informed and believes and thereon alleges that Defendants, and each of them, had access to the Subject Design, including, without limitation, through (a) access to Plaintiff's showroom and/or design library; (b) access to illegally distributed copies of the Subject Design by third-party vendors and/or DOE Defendants, including without limitation international and/or overseas converters and printing mills; (c) access to Plaintiff's strike-offs and samples, and (d) access to garments in the marketplace manufactured with lawfully printed fabric bearing the Subject Design.

18. Plaintiff is informed and believes and thereon alleges that one or more of the Defendants manufactures garments and/or is a garment vendor. Plaintiff is further informed and believes and thereon alleges that said Defendant(s), and each of them, has an ongoing business relationship with Defendant retailers, and each of them, and supplied garments to said retailers, which garments infringed the Subject Design in that said garments were composed of fabric which featured unauthorized print designs that were identical or substantially similar to the Subject Design, or were an illegal modification thereof.

19. Plaintiff is informed and believes and thereon alleges that Defendants, and each of them, infringed Plaintiff's copyright by creating, making and/or developing directly infringing and/or derivative works from the Subject Design and by producing, distributing and/or selling Offending Products through a nationwide network of retail stores, catalogues, and through on-line websites.

20. Due to Defendants', and each of their, acts of infringement, Plaintiff has suffered damages in an amount to be established at trial.

JURY DEMAND

Plaintiff demands a jury trial on all issues so triable pursuant to Fed. R. Civ. P. 38 and the 7th Amendment to the United States Constitution.

Dated: January 16, 2024

DONIGER / BURROUGHS

By: /s/ Stephen M. Doniger
Stephen M. Doniger, Esq.
Kelsey Schultz, Esq.
Attorneys for Plaintiff